

**As Reported by the House Government Oversight Committee**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 430**

**Representatives Klopfenstein, Rogers**

**Cosponsors: Representatives Claggett, Dean, King, Miller, J., Grim, Fowler Arthur,  
Creech, Plummer, Brennan**

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**A BILL**

To amend sections 315.251, 319.203, and 325.14 and 1  
to enact section 305.021 of the Revised Code 2  
regarding county engineers. 3

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 315.251, 319.203, and 325.14 be 4  
amended and section 305.021 of the Revised Code be enacted to 5  
read as follows: 6

**Sec. 305.021.** (A) When there is a vacancy in the county 7  
engineer's office as a result of death or resignation and the 8  
vacancy cannot be filled by election or appointment as provided 9  
in section 305.02 of the Revised Code, or if no one runs for the 10  
office of county engineer and, for that reason, the office is 11  
vacant, the board of county commissioners may contract with 12  
another county's county engineer to exercise the powers and 13  
perform the acts, duties, or functions of the county engineer. 14  
Notwithstanding any contrary provision of the Revised Code or 15  
the common law, the same person may serve as the county engineer 16  
of more than one county, including adjacent counties, under this 17  
section. 18

(B) A county engineer with whom the board contracts shall 19  
receive supplemental compensation for services rendered under 20  
the contract in an amount equal to the compensation specified in 21  
sections 325.14 and 325.18 of the Revised Code for the 22  
population range of the county in which the engineer is 23  
contracted to perform services, prorated for the duration of the 24  
contract. The supplemental compensation shall have no effect on 25  
the compensation a county engineer receives for serving as 26  
county engineer in the county in which the engineer holds 27  
office. The duration of the contract shall not extend beyond the 28  
last day of the term for which there was a vacancy. 29

**Sec. 315.251.** ~~(A)~~—If a deed conveying title to real 30  
property is presented to the county auditor for transfer, and 31  
the deed contains a legal description for land that is a cut-up 32  
or split of the grantor's one or more existing parcels of land 33  
as shown in the county auditor's records, or if the legal 34  
description of the land conveyed in the deed is different from 35  
the legal description shown in the prior deed to the grantor, a 36  
boundary survey plat in conformity with the new description 37  
shall be submitted with the deed. The survey plat and 38  
description shall satisfy the minimum standards for boundary 39  
surveys promulgated by the board of registration for 40  
professional engineers and surveyors pursuant to Chapter 4733. 41  
of the Revised Code. If, in the opinion of the county engineer, 42  
the survey plat and description satisfy those standards, the 43  
county auditor shall accept the deed for transfer and a copy of 44  
the survey plat shall be filed in the county engineer's survey 45  
file for public inspection. 46

This section applies only if the requirements of this 47  
section are included in the standards governing conveyances of 48  
real property in the county adopted under section 319.203 of the 49

Revised Code. 50

~~(B) Beginning on the effective date of this amendment, in 51  
the counties where the county engineer elects to engage in the 52  
private practice of engineering or surveying under division (B) 53  
of section 325.14 of the Revised Code the county auditor of that 54  
county shall designate another engineer who is registered under 55  
Chapter 4733. of the Revised Code and who is employed in the 56  
same county engineer's office to perform the duty of the county 57  
engineer under division (A) of this section or to exercise or 58  
perform any authority or duty of the county engineer under 59  
section 319.203 of the Revised Code if the county engineer 60  
reasonably believes that the performance of that duty or 61  
exercise of that authority by the county engineer would 62  
constitute a violation of Chapter 102. of the Revised Code or 63  
any other similar civil or criminal statute. Pursuant to this 64  
authorization, the designee engineer shall act in the place of 65  
the county engineer. Neither the county engineer nor the 66  
designee engineer shall discuss any matter reasonably related to 67  
this authorization. Any act in compliance with this section is 68  
not a violation of Chapter 102. of the Revised Code or any other 69  
similar statute. 70~~

~~Division (B) of this section applies only to a county 71  
engineer holding office on the effective date of this amendment 72  
during such time as the person continues to serve that term or 73  
an immediately consecutive term of office as a county engineer. 74~~

~~Sec. 319.203. Subject to division (B) of section 315.251 75  
of the Revised Code, the The county auditor and the county 76  
engineer of each county, by written agreement, shall adopt 77  
standards governing conveyances of real property in the county. 78  
These standards may include the requirements specified in 79~~

section 315.251 of the Revised Code. The county auditor and 80  
county engineer may modify those standards from time to time as 81  
they consider necessary or desirable. The standards shall be 82  
adopted or modified only after the county auditor and county 83  
engineer have held two public hearings, not less than ten days 84  
apart, concerning adoption or modification of the standards. The 85  
standards shall be available for public inspection during normal 86  
business hours at the offices of the county auditor and county 87  
engineer. 88

Before the county auditor transfers any conveyance of real 89  
property presented to the auditor under section 319.20 or 90  
315.251 of the Revised Code, the county auditor shall review the 91  
conveyance to determine whether it complies with the standards 92  
adopted under this section. The county auditor shall not 93  
transfer any conveyance that does not comply with those 94  
standards. 95

**Sec. 325.14.** (A) Each county engineer shall be classified, 96  
for salary purposes, according to the population of the county. 97  
All county engineers shall receive annual compensation in 98  
accordance with the following ~~schedules~~schedule and in 99  
accordance with section 325.18 of the Revised Code: 100

~~CLASSIFICATION AND COMPENSATION SCHEDULE~~ 101  
~~FOR CALENDAR YEAR 2018 FOR~~ 102  
~~COUNTY ENGINEERS WITH A PRIVATE PRACTICE~~ 103

104

A	Class	Population Range	Compensation
B	1	1—55,000	\$67,746
C	2	55,001—95,000	73,059
D	3	95,001—200,000	78,594
E	4	200,001—400,000	83,022
F	5	400,001—1,000,000	88,556
G	6	1,000,001 or more	92,009

<del>CLASSIFICATION AND COMPENSATION SCHEDULE</del>	105
<del>FOR CALENDAR YEAR 2018 FOR</del>	106
<del>COUNTY ENGINEERS WITHOUT A PRIVATE PRACTICE</del>	107

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	1	2	3
A	Class	Population Range	Compensation
B	1	1—55,000	\$94,103
C	2	55,001—95,000	99,417
D	3	95,001—200,000	104,950
E	4	200,001—400,000	109,378
F	5	400,001—1,000,000	114,914



A	Class	Population Range	Compensation
B	1	<del>1 — 55,000</del>	<del>\$98,808</del>
C	2	<del>55,001 — 95,000</del>	<del>104,388</del>
D	3	<del>95,001 — 200,000</del>	<del>110,198</del>
E	4	<del>200,001 — 400,000</del>	<del>114,847</del>
F	5	<del>400,001 — 1,000,000</del>	<del>120,660</del>
G	6	<del>1,000,001 or more</del>	<del>124,279</del>

<del>CLASSIFICATION AND COMPENSATION SCHEDULE</del>	117
<del>FOR CALENDAR YEAR 2020 FOR COUNTY ENGINEERS</del>	118
<del>WITH A PRIVATE PRACTICE</del>	119

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	1	2	3
A	Class	Population Range	Compensation
B	1	<del>1 — 55,000</del>	<del>\$74,690</del>
C	2	<del>55,001 — 95,000</del>	<del>80,548</del>
D	3	<del>95,001 — 200,000</del>	<del>86,650</del>
E	4	<del>200,001 — 400,000</del>	<del>91,532</del>
F	5	<del>400,001 — 1,000,000</del>	<del>97,633</del>

G	6	1,000,001 or more	101,440	
		CLASSIFICATION AND COMPENSATION SCHEDULE		121
		FOR CALENDAR YEAR 2020 FOR COUNTY ENGINEERS		122
		<del>WITHOUT A PRIVATE PRACTICE</del>		123
				124

	1	2	3
A	Class	Population Range	Compensation
B	1	1 - 55,000	\$103,749
C	2	55,001 - 95,000	109,607
D	3	95,001 - 200,000	115,707
E	4	200,001 - 400,000	120,589
F	5	400,001 - 1,000,000	126,693
G	6	1,000,001 or more	130,493

Such salary may be paid monthly out of the general county fund or out of the county's share of the fund derived from the receipts from motor vehicle licenses, as distributed by section 4501.04 of the Revised Code, and the county's share of the fund derived from the motor vehicle fuel tax, as distributed by section 5735.27 of the Revised Code, as the board of county commissioners directs, upon the warrant of the county auditor and shall be in lieu of all fees, costs, per diem or other allowances, and other perquisites, of whatever kind, which any

engineer collects and receives. The engineer shall be the county 134  
tax map draftperson, but shall receive no additional 135  
compensation for performing the duties of that position. When 136  
the engineer performs service in connection with ditches or 137  
drainage works, the engineer shall charge and collect the per 138  
diem allowances or other fees provided by law and shall pay all 139  
of those allowances and fees, monthly, into the county treasury 140  
to the credit of the general county fund. The engineer shall pay 141  
into the county treasury all allowances and fees collected when 142  
the engineer performs services under sections 315.28 to 315.34 143  
of the Revised Code. 144

(B) A county engineer may elect to engage or not to engage 145  
in the private practice of engineering or surveying ~~before the~~ 146  
~~commencement of each new term of office, and a county engineer~~ 147  
~~who elects not to engage in the private practice of engineering~~ 148  
~~or surveying may, for a period of six months after taking~~ 149  
~~office, engage in the private practice of engineering or~~ 150  
~~surveying for the purpose of concluding the affairs of private~~ 151  
~~practice without any diminution of salary as provided in~~ 152  
~~division (A) of this section and in section 325.18 of the~~ 153  
~~Revised Code. A county engineer, including an acting county~~ 154  
~~engineer described in section 305.021 of the Revised Code, shall~~ 155  
~~not perform any private engineering or surveying work that would~~ 156  
~~go before the office of the county engineer of any county in~~ 157  
~~which the person serves as the county engineer or acting county~~ 158  
~~engineer.~~ 159

**Section 2.** That existing sections 315.251, 319.203, and 160  
325.14 of the Revised Code are hereby repealed. 161

**Section 3.** Division (A) of section 325.14 of the Revised 162  
Code, as amended by this act, applies to a county engineer whose 163

term of office begins on or after the effective date of this 164  
section. Pursuant to Section 20 of Article II, Ohio 165  
Constitution, a county engineer shall continue to receive 166  
compensation in accordance with the law in effect before the 167  
effective date of this section for the remainder of a term of 168  
office that began before the effective date of this section. 169

**Section 4.** Section 315.251 of the Revised Code is 170  
presented in this act as a composite of the section as amended 171  
by both S.B. 262 and S.B. 287 of the 121st General Assembly. The 172  
General Assembly, applying the principle stated in division (B) 173  
of section 1.52 of the Revised Code that amendments are to be 174  
harmonized if reasonably capable of simultaneous operation, 175  
finds that the composite is the resulting version of the section 176  
in effect prior to the effective date of the section as 177  
presented in this act. 178